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Attorneys for Plaintiff and the Class

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

RANDALL HOLL,

Plaintiff,

v.

UNITED PARCEL SERVICE, INC.,

Defendant.

Case No. 16-cv-05856-HSG

**STIPULATION AND ~~PROPOSED~~  
ORDER SETTING BRIEFING  
SCHEDULE FOR DEFENDANT'S  
MOTION TO COMPEL  
ARBITRATION**

Motion to Compel filed: December 19,  
2016

Current opposition due: January 3,  
2017

New opposition due: January 18, 2017

Current reply due: January 10, 2017

New reply due: February 1, 2017

Hearing date: February 16, 2017 at

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2:00 p.m.

**STIPULATION**

Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Randall Holl and Defendant United Parcel Service, Inc. ("UPS"), by and through their undersigned counsel, stipulate as follows:

WHEREAS, Plaintiff filed the Complaint in this action on October 11, 2016, and served UPS with the Complaint on October 20, 2016;

WHEREAS, on November 4, 2016, the parties stipulated and agreed to extend UPS's deadline to respond to the Complaint until December 19, 2016;

WHEREAS, UPS filed a Motion to Compel Arbitration of Plaintiff Randall Holl's claims on December 19, 2016 and noticed the motion for hearing on February 16, 2017 at 2:00 p.m.;

WHEREAS, Plaintiff's response to the motion to compel arbitration is currently due January 3, 2017;

WHEREAS, the parties have met and conferred, and agree that Plaintiff's deadline to file a response to Defendant's motion to compel arbitration may be extended until January 18, 2017, with UPS's deadline to reply extended until February 1, 2017;

WHEREAS, good cause exists for an extension of Plaintiff's deadline to respond to the motion to compel arbitration because the extension will provide Plaintiff sufficient time to prepare its response in light of the upcoming holidays, and UPS's request for an extension will provide UPS with sufficient time to prepare its response; and

WHEREAS, this is the first request for an extension of Plaintiff's deadline to respond to the Motion to Compel Arbitration, UPS's second request for an extension (UPS previously requested an extension of time to file its initial response to Plaintiff's Complaint), the extensions will not alter the date of any event or any deadline already fixed by Court order, and this request is not being made for purposes of delay or any other improper purpose;

THEREFORE, IT IS HEREBY AGREED AND STIPULATED, subject to the approval of the Court, that Plaintiff's deadline to respond to Defendant's Motion to Compel Arbitration shall be extended to January 18, 2017, and UPS shall have until February 1, 2017 to file a reply brief.

1 Dated: December 21, 2016

KAI H. RICHTER  
NICHOLS KASTER, PLLP

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4 By: /s/ Kai H. Richter  
Kai H. Richter

5 Attorneys for Plaintiff  
6 RANDALL HOLL

7 Dated: December 21, 2016

8 STACEY M. SPRENKEL  
MORRISON & FOERSTER LLP

9  
10 By: /s/ Stacey M. Sprenkel  
Stacey M. Sprenkel

11 Attorneys for Defendant  
12 UNITED PARCEL SERVICE, INC.  
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**ECF ATTESTATION**

I, Kai H. Richter, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER SETTING BRIEFING SCHEDULE FOR DEFENDANT'S MOTION TO COMPEL ARBITRATION. In accordance with Civil Local Rule 5-1, concurrence in the filing of this document has been obtained from Stacey Sprenkel, counsel for Defendant, and I shall maintain records to support this concurrence for subsequent production for the Court if so ordered or for inspection upon request by a party.

Dated: December 21, 2016

NICHOLS KASTER, PLLP

By: /s/ Kai H. Richter

KAI H. RICHTER

Attorneys for Plaintiff  
RANDALL HOLL

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 12/22/2016

By:   
HON. HAYWOOD S. GILLIAM, JR.  
UNITED STATES DISTRICT COURT

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 21st day of December, 2016, the foregoing document was filed electronically on the CM/ECF system, which caused all CM/ECF participants to be served by electronic means.

/s/ Kai H. Richter

KAI H. RICHTER

Attorneys for Plaintiff  
RANDALL HOLL